

071 #6

Docket No. 614.1907/JIM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kazuhiro TOMIZAWA

Serial No.: 09/122,740

Filed: July 27, 1998



Group Art Unit: 2771

Examiner: Fleurantin, J.

For: APPLICATION MANAGING METHOD AND INFORMATION
PROCESSING APPARATUS USING THE METHOD

**REQUEST FOR WITHDRAWAL OF HOLDING OF
ABANDONMENT UNDER MPEP 711.03(C) SECTION II
FOR FAILURE TO RECEIVE AN OFFICE ACTION**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

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This is a request for withdrawal of a holding of abandonment in the above-referenced case, since the Applicant did not receive the initial Office Action mailed by the USPTO. The facts are detailed below.

The Application was filed on July 27, 1998. The Application included our firm's proper mailing address. Subsequently, because a long period of time had gone by without us receiving an Office Action, we filed a Request for Status Report, on June 14, 2000. On February 8, 2001, we then received a Notice of Abandonment from the USPTO indicating that we failed to respond to the Office Action mailed June 16, 2000.

The file (attorneys docket number 614.1907) does not contain the Office Action mailed on June 16, 2000. Further, our docketing department, which maintains an advanced docketing/tracking system relating to received documents, also looked into the matter and determined that they have no record of receiving an Office Action dated June 16, 2000.

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Attached to this document is Exhibit A (2 pages), which is a printout of from our computerized docketing system. The printout includes all actions relating to this Application. The top of page 2 of Exhibit A, indicates that on 6/14/2000 a Status Inquiry was filed. The next entry indicates that on 2/8/2001 a Notice of Abandonment was received. However, the Office Action dated June 16, 2000, is not listed.

From the above facts, it can be concluded that the Office Action dated June 16, 2000, was probably lost in the mail.

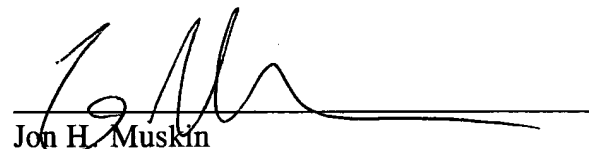
In view of the foregoing, the Applicant respectfully requests that the USPTO withdraw the holding of abandonment, re-mail the initial Office Action, and set a new shortened three-month statutory period for response.

Because this request is filed in accordance with 37 CFR 1.181, it is believed that no fee is required. However, if it is determined that any fees are required in connection with the filing of this Request, please charge same to our Deposit Account No. 19-3935.

Respectfully submitted,
STAAS & HALSEY LLP

Date: 2-22-01

By: _____


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